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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 UNITED STATES OF AMERICA, )

8 Plaintiff, )

9 v. )

2:12-CR-253-HDM-(RJJ)

10 FERMIN MESA, )

11 Defendant. )

12 **PRELIMINARY ORDER OF FORFEITURE**

13 This Court finds that on December 18, 2012, defendant FERMIN MESA pled guilty to Count  
14 One of a Three-Count Criminal Indictment charging him in Count One with Felon in Possession of  
15 a Firearm, in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF  
16 No. 1.

17 This Court finds defendant FERMIN MESA agreed to the forfeiture of the property set forth  
18 in the Forfeiture Allegation of the Criminal Indictment and in the Plea Agreement. Criminal  
19 Indictment, ECF No. 1.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
21 has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the  
22 Criminal Indictment and agreed to in the Plea Agreement and the offense to which defendant  
23 FERMIN MESA pled guilty. Criminal Indictment, ECF No. 1.

24 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
25 924(d)(1) and Title 28, United States Code, Section 2461(c):

26 ...

- 1 (a) a Llama/Stoeger .380 caliber, semi automatic pistol, bearing serial number  
2 594271;
- 3 (b) A Liberty Arms Corp. .25 caliber semi-automatic pistol, bearing serial number  
4 113118; and
- 5 (c) a Mossberg 930 12 gauge semi-automatic shotgun, bearing serial number  
6 AF035278; and
- 7 (d) any and all ammunition ("Property").

8 This Court finds the United States of America is now entitled to, and should, reduce the  
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
13 FERMIN MESA in the aforementioned property is forfeited and is vested in the United States of  
14 America and shall be safely held by the United States of America until further order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
16 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
17 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
18 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
19 the name and contact information for the government attorney to be served with the petition,  
20 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
22 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
24 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
25 following address at the time of filing:

26 ...

1 Michael A. Humphreys  
2 Assistant United States Attorney  
3 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
5 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
6 following publication of notice of seizure and intent to administratively forfeit the above-described  
7 property.

8 DATED this 18th day of December, 2012.

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12 UNITED STATES DISTRICT JUDGE